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ABB INC. LEGAL DEPARTMENT-4U6 29801 EUCLID AVENUE WICKLIFFE, OH 44092			EXAMINER FLEISCHER, MARK A	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/661,846	<b>Applicant(s)</b> PIERRE ET AL.	
	<b>Examiner</b> MARK A. FLEISCHER	<b>Art Unit</b> 3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Status of Claims**

1. This action is in reply to the response to the first non-final rejection filed on 15 July 2008.
2. Claims 1, 7, 9, 11 and 14 have been amended. Examiner notes that Applicant neglected to indicate in Applicant's Remarks that claim 7 was also amended.
3. Claims 1–17 are currently pending and have been examined.

### ***Response to Amendment***

4. Examiner withdraws his objections to the abstract in light of the amended abstract.
5. Examiner withdraws his objections to claims 1 and 9 light of the amended claims.
6. The rejection of claims 1-6, 11, 12 and 15-17 under 35 U.S.C. §112, 2<sup>nd</sup> paragraph are withdrawn in light of Applicant's amendments.
7. The rejection of claim 1 under 35 U.S.C. §101 are withdrawn in light of Applicant's amendments.

### ***Response to Arguments***

Applicant's arguments filed 7 March 2008 have been considered but they are not persuasive. The thrust of Applicant's arguments is that the cited prior art does not use "objects [that are] tied to real world objected created using the

organization hierarchical structure of the enterprise” and that the objects in the prior art of record are directed toward more ‘abstract’ “knowledge spheres” (Remarks, p.9-10). Applicant further states that Sanders (prior art of record) “teaches away from combining the object oriented treatment based on hirerarchical [*sic*] structure of the enterprise.” (Remarks, p.10). While it may be true that Sanders appears to ‘teach away’ from the claimed invention, it does not diminish the fact that it renders obvious the notion of using object oriented paradigms and objects corresponding to the organizational structure of an enterprise and describes such as prior art. A prior art reference that “teaches away” from the claimed invention is a significant factor to be considered in determining obviousness; however, “the nature of the teaching is highly relevant and must be weighed in substance. A known or obvious composition does not become patentable simply because it has been described as somewhat inferior to some other product for the same use.” In re Gurley, 27 F.3d 551, 554, 31 USPQ2d 1130, 1132 (Fed. Cir. 1994) (Claims were directed to an epoxy resin based printed circuit material. A prior art reference disclosed a polyester-imide resin based printed circuit material, and taught that although epoxy resin based materials have acceptable stability and some degree of flexibility, they are inferior to polyester-imide resin based materials. The court held the claims would have been obvious over the prior art because the reference taught epoxy resin based material was useful for applicant’s purpose, applicant did not distinguish the

claimed epoxy from the prior art epoxy, and applicant asserted no discovery beyond what was known to the art.). MPEP §2146, X.D.1

Thus, the mere fact that Sanders highlights the problems with existing systems because they “are based on [ ] hierarchical models” and thus disparages the concept of using objects as proxies for organizational components, must be placed within the context of why such models are inappropriate or ineffective. When considered within the proper context, the teachings of the prior art (Sanders) relative to the object/hierarchical paradigm is in line with the goals of the instant invention that are further described in Young, the primary reference, since the object models in Young are designed to provide for “unprecedented management, monitoring, and visualization capabilities.” (Young [0028]). In any case, it makes this notion all the more obvious to one skilled in the art at the time the invention was made. Examiner notes that the problem addressed by Sanders is the *valuation* of enterprise components, not the goal of providing an overall status of an enterprise. Thus, the teachings of Young, which are consonant with those of the instant invention for monitoring the status of an enterprise, in conjunction with the statements in Sanders which describes how the prior art, *i.e.*, the use of hierarchical/object models, is not well suited to the problem of enterprise valuation and which is distinct from the instant invention, nevertheless does describe the fact that such object/hierarchical models exist even though they may not be well-suited for enterprise valuation. Consequently, Examiner believes it is incorrect to state that Sanders teaches away from the

present invention. Rather, it teaches away from the use of such object/hierarchical models for enterprise valuation. In the main, Sanders thus serves to illustrate the state of the prior art in terms of modeling an enterprise generally and renders obvious the use of the object modeling approach for monitoring (not valuing) an enterprise.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. §112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-13 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 7 recite the terms “real world objects” and is *prima facie* vague and indefinite as no standard criteria exists within the technological and/or computational arts for determining or designating objects as “real world”. The specification further does not shed light on the meaning of term other than to say it is an object with states and behavior (methods, functions) as in object-oriented programming paradigms. Applicant is advised to further embellish or clarify the meaning within this context to clearly establish the metes and bounds of what real-world objects are within the context

of Applicant's invention. Claims 2-6 and 7-13 are dependent on claims 1 and 7 and so are also vague and indefinite for the aforementioned reasons.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1–3, 7, 9–11, and 14–16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young (20020038217 A1) and further in view of Sanders (US 6411936 B1).

**Claim 1:**

Young, as shown, describes and/or discloses the following limitations.

*A system for visually displaying real-time enterprise status information*  
(Young, in at least [0019] states: “Contextual visualization interface [ ] enables a user to view various aspects of the a business. The visualization management service provides a lower level management capability aimed at audiences where a bigger management and status picture is required.” (emphasis added) where ‘visualization’ corresponds to

*visually displaying* and ‘status picture’ corresponds to *real-time enterprise status information.*) *over all levels of a corporate organizational structure of an enterprise* (Note in the aforementioned quotations that ‘at audiences where a bigger ...’ corresponds to *over all levels of a corporate...structure.*), comprising:

- *an application integration platform that receives a plurality of data types from manufacturing and information systems within said enterprise, said application integration platform analyzing said plurality of data types to determine key performance indicators* (Young, in at least [0002] states: “The described system and method are generally related to software-implemented methods, systems and articles of manufacture for analyzing, managing and presenting business solutions. More specifically, the described system and method are related to systems and methods for analyzing, managing and presenting business information from a variety of disparate sources.” (emphasis added) where ‘system and method’ corresponds to *application integration platform* and ‘information from ... disparate sources’ corresponds to *receiv[ing] plural types of data from ... systems within...* and ‘for analyzing’ corresponds to *...analyzing said plural types...* Young further describes and/or discloses in at least [0006] the notion of “key performance indicators” that are “defined” hence, *determine[d].*);



- *a process control server* (Young, in at least [0029] states: “Preferrably, workflow support is for business processes executing under the control of and within a single server. Each running workflow server ...” (emphasis added) where the workflow server corresponds to *a process control server.*) *that receives manufacturing data from at least one work center* (Young, in at least [0003] refers to “enterprise application integration” and corresponds to *application integration platform.* Young, in at least [0016] states: “Other standardized applications [...] provide data to workflow manager [ ], such as, [...] manufacturing data. Workflow manager [ ] further receives information from a variety of defined trading partners [ ]. These trading partners may include customers, suppliers, distributors, and other remote business computers located throughout the enterprise.” (emphasis added) where ‘provid[ing] data to workflow manager’ and ‘manufacturing data’ corresponds to a *server that receives manufacturing data* and ‘receives information ...other remote ...computers ...’ corresponds to *from at least one work center.*) *and forwards said manufacturing data to said application integration platform* (Note that in the aforementioned reference, ‘provide data to workflow manager ... such as ... manufacturing data’ corresponds to *forwards said manufacturing data to ...*);

- *a database containing information related to manufacturing processes performed at said at least one work center* (Young, in at least [0003] states: “These prior art solutions are directed toward the problems of integrating business data and processes stored on and performed by various systems throughout an organization.” (emphasis added) where ‘business data and processes’ encompasses *manufacturing processes* and ‘stored on’ indicates such data is stored on a database ‘system’ as this is one of ‘various systems’. Moreover, Young specifically refers to ‘manufacturing data’ as shown above.); *and*
- *a graphical user interface that interfaces with said application integration platform to provide a visual display of said key performance indicators* (Young, in at least [0018] devotes a subsection to the description of the “Contextual Visualization Interface” and “provides a lower level management capability aimed at audiences where a bigger management and status picture is required.” ([0019]) where the management level and ‘audiences’ pertain to various types of users.) *in accordance with the class of user interacting therewith* (Young, in at least [0031] states: “This service uses Key Performance Indicator (“KPI”) applications [ ] to allow high-level users to visualize and implement high-level policy directed toward monitoring their specific interests and needs.” (emphasis added) where the ‘high-level users’ corresponds to *the class of user interacting..*),

Young does not specifically describe and/or disclose the following limitations, but Sanders, as shown, does.

- *wherein said levels of said corporate organizational structure are modeled as real world objects having methods and variables* (Sanders, in at least claim 33 states: “[T] he first set of objects includes elements that each represent points of generation of knowledge, speeds and spheres of communication of knowledge, transformation methodology, and distribution methodology of knowledge within the same and between various business systems in the enterprise.” (emphasis added) where ‘objects’ are described as entities that ‘represent’ ‘knowledge’ and ‘transformation methodology’ that corresponds to *objects having methods and variables.*), *said objects being created using an organizational hierarchical structure* (Sanders, in at least [0023] states: “The problem is that existing systems are based either on hierarchical models [...] and not for the larger purpose of overall enterprise value enhancement.” (emphasis added) where ‘based [on] hierarchical models’ corresponds to *using an organizational hierarchical structure.*) *of said enterprise to be monitored together with respective states and behaviors of components within each level of said corporate structure* (Sanders, in at least [0030] states: “[The] solution generator also tracks the mix of products and/or services of the enterprise. Pricing, gross margins, customer asset valuations, and

the potential for movement in each of the areas tracked are also preferably monitored by the solution generator.” (emphasis added) where ‘track the mix...’ corresponds to the *monitor[ing] ... respective states and behaviors* where ‘potential for movement’ corresponds to *behaviors* and the ‘mix ... of the enterprise’ corresponds to the *components with ...[the] corporate structure.*).

Both Young and Sanders describe and/or disclose systems and/or methods that facilitate the management and control of large-scale enterprises. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Young and Bruce by adding the object oriented approach of Sanders to the methods of Young because it enables and facilitates the development, modification and application of enterprise monitoring.

**Claims 2, 10 and 15:**

Although claims 2, 10 and 15 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Young/Sanders, as shown, describe and/or disclose the limitations of claim 1 as shown above.

Young further describes and/or discloses the following limitations.

- *said key performance indicators include at least one of: throughput time, manufacturing hours, work center utilization, man-hour capacity, planned vs. actual hours for work orders, and work in process* (Young, in at least [0016] describes “statistics describing equipment use” and

“custom manufacturing data”. These correspond to *throughput time*, *manufacturing hours*, *man-hour capacity*. Further, in at least [0033] Young refers to “manufacturing orders”, and in at least [0058] “applications in which time keeping is needed” hence corresponds to *manufacturing hours* and *work in process* as further described in at least [0015] where Young describes, in general terms, “Workflow manager [ ] further enables business processes to be managed according to exception rules. Workflow manager [ ] also supports event identification, event correlation and event prediction based on historical parameters and user-defined parameters.” (emphasis added) where the aforementioned ‘events’ and ‘user-defined parameters’ with respect to ‘business processes’ corresponds to the *work in process* and the other attributes relating to time and *planned vs. actual hours*.)

**Claims 3, 11 and 16:**

Although claims 3 and 11 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Young/Sanders, as shown, describe and/or disclose the limitations of claim 1 as shown above.

Young further describes and/or discloses the following limitations.

- *said key performance indicators are selected by classes of users and determined in accordance with at least one of a work order number, a work station identifier, a start time, an end time, an activity code, a problem code, employee information, a material code, a planned start*

*time, and a planned completion time* (Young, in at least [0055] states: “[I]f an event regarding a problematic manufacturing process for part number 12345 is generated, the management policy might need to reference more information regarding what other business processes are affected by this situation--e.g. are there any sales orders or manufacturing orders depending on this part?” (emphasis added) where ‘problematic...’ corresponds to *a problem code* for example. These are species of ‘business data’ as in [0005] where “The business data is processed to determine the value of the key performance indicator, [...]” (emphasis added) hence the *key performance indicator[s]* are determined based on the ‘business data’ and therefore *in accordance with at least one of...*)

#### **Claims 7 and 14:**

Although claims 7 and 14 are worded and/or structured slightly differently, they have the same scope (the last limitation of claim 14 however is not included in the scope of claim 7 and is addressed below as indicated) and so are addressed together. Young, as shown, describe and/or disclose the following limitations.

- *A system for visually displaying real-time enterprise status information* (Young, in at least [0032] states: “The KPI wizards allow the selection of discrete or aggregated object values to be visualized and monitored.” (emphasis added) where ‘visualized and monitored’

corresponds to *displaying real-time enterprise status information.*) over all levels of a corporate organizational structure of an enterprise (Young, in at least [0019] states: “[I]t utilizes the [...] interface [...] with business object model that implements Business Process Views (BPV's) representing the different aspects of an enterprise such as manufacturing, finance and human resources [...]” (emphasis added) where ‘different aspects’ such as ‘manufacturing...’ corresponds to *all levels of a corporate ... structure of an enterprise.*), comprising:

Young does not describe and/or disclose the following limitations, but Sanders, as shown, does.

- *an object-oriented real world model of levels of said corporate organizational structure* (Sanders, in at least [0023] states: “Future values of variables can be determined by some existing enterprise models which include flow relationships, causal relationships, compositional relationships and productivity relationships besides reasoning and reconciliation to create a realistic model of an enterprise.” (emphasis added) where ‘flow relationships’ and ‘compositional relationships’ correspond to *levels of a corporate organizational structure.* Also, in at least [0030] “Pricing, gross margins, customer asset valuations, and the potential for movement in each of the areas tracked are also preferably monitored by the solution generator.” (emphasis added) where

'pricing ... valuations' corresponds to *enterprise status information* that are 'monitored' which corresponds to *real-time enterprise status.*), *said objects having methods and variables and being created using an organizational hierarchical structure of said enterprise such that respective states and behaviors of components within each level of said corporate structure are monitored together* (Sanders in at least [0023] states: "The problem is that existing systems are based either on hierarchical models or are meant to enable decision-making regarding resource allocation only, and not for the larger purpose of overall enterprise value enhancement." (emphasis added) hence refers to *an organizational hierarchical structure*. In Sanders claim 31 "[T]he model of the enterprise value enhancement includes flow relationships, type relationships, causal relationships, function relationships, and solution relationships, [...]." (emphasis added) where the emphasized text corresponds to *respective states and behaviors*. Finally, as shown above in [0030] "Pricing, gross margins, customer asset valuations, and the potential for movement in each of the areas tracked are also preferably monitored by the solution generator." (emphasis added) hence are 'monitored together'.);

Young further describes and/or discloses the following limitations.



- *an application integration platform* (Young, in at least [0003] refers to “Enterprise Application Integration”) *that receives plural types of data from manufacturing* (Young in at least [0016] states: “Other standardized applications [...] provide data to workflow manager [ ], such as, [...] custom manufacturing data.” (emphasis added) where the ‘workflow manager’ corresponds to the *application integration platform* that is ‘provide[d]’, hence *receives ... manufacturing data*.) *and information systems* (Young, in at least [0016] states: “[The] workflow manager [ ] may receive information from a variety of web services [that] may provide any type of data that may be located online [...]” (emphasis added) where ‘variety of web services’ and ‘provide any ... data ... online’ corresponds to *information systems*.) *within an enterprise via a network infrastructure* (Young, in at least [0014] states: “The relevant business data is collected from other sources in a number of ways, including for example [...] via a wide area network (WAN) or local area networks (LAN) connection, via batch processing and via a human operator.” (emphasis added) where the ‘WAN’ and ‘LAN’ corresponds to *information systems within an enterprise via a network infrastructure*.) *and analyzes said plural types of data in response to user inputs* (Young, in at least [0087] states: “Typically, key performance indicators will be identified through user input [...]” and

in [0088] “[T]he business data is analyzed to determine the value of the identified key performance indicator.” (emphasis added) where the ‘identified...indicator’ corresponds to that which comes from *user inputs* where the resulting ‘business data is analyzed’ and corresponds to *analyzes ... plural types ... in response to user inputs.*);

- *a process control server that receives manufacturing data from at least one work center and forwards said manufacturing data to said application integration platform* (Young, in at least [0016] states: “Other standardized applications [...] provide data to workflow manager [ ] such as, [...] manufacturing data. Workflow manager [ ] further receives information [...]” (emphasis added) where ‘other standardized...’ corresponds to *process control server* and ‘workflow manager’ corresponds to *application integration platform* which ‘further receives...’ hence is *forward[ed]* ‘manufacturing data’ which *ipso facto* is generated within the enterprise, hence from some *work center.*);
- *a database containing information related to manufacturing processes performed at said at least one work center* (Young, in at least [0016] refers to “applications ... provide data to [a] workflow manager [ ] such as [ ] manufacturing data” (emphasis added) where such ‘data’ must, *ipso facto* come from a *database*

*containing information related to manufacturing processes which are, ipso facto performed within the enterprise, hence at ..[a] work center.); and*

- *a user interface that displays the analyzed plural types of data to determine key performance indicators (Young, in at least the abstract states: “The method also includes the step of processing the business data to determine the value of at the key performance indicator, The determined value of the key performance indicator is transmitted to a contextual visualization interface for presentation to a user.” (emphasis added) where the ‘contextual visualization interface’ corresponds to the *user interface* that allows a user to process data to *determine ...[a] key performance indicator.*), wherein said at least one work center contains manufacturing machines, and a controller that receives sensor data from said machines and communicates said sensor data to said process control server (Young, in at least [0016] states: “[N]etworked devices [ ] may provide data to workflow manager [...] describing equipment use, maintenance alerts and equipment status [...]” where ‘networked devices’ corresponds to *sensor[s]*, ‘workflow manager’ corresponds to *a controller that receives sensor data* and ‘equipment use’ and ‘status’ corresponds to *sensor data* which is *communicate[d].*)*

With respect to the limitation in claim 14 not within the scope of claim 7, Young, as shown, describes and/or discloses the following limitation:

- *presenting differing ones of said key performance indicators to different classes of end users in accordance with user-selected input parameters* (Young, in at least [0015] states: “Workflow manager [...] enables the definition of key performance indicators [...] Workflow manager [ ] further enables business processes to be managed according to exception rules. Workflow manager [ ] also supports event identification, event correlation and event prediction based on historical parameters and user-defined parameters.” (emphasis added) where ‘key performance indicators’ corresponds to same and ‘managed according to exception rules’ indicates the indicators are given to specified groups or classes, and finally, ‘user-defined parameters’ corresponds to *user-selected input parameters*. Note that in [0005] such indicators are “transmitted to a contextual visualization interface for presentation to a user.” (emphasis added) where ‘presentation...’ corresponds to *presenting differing ones ...*)

Both Young and Sanders describe and/or disclose systems and/or methods that facilitate the management and control of large-scale enterprises including manufacturing systems. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of

Young and Bruce by adding the object oriented approach of Sanders to the methods of Young because it enables and facilitates the development, modification and application of enterprise monitoring.

**Claim 9:**

Young/Sanders describe and/or disclose the limitations of claim 7 as shown above. Young further describes and/or discloses the following limitations.

- *different instances of said key performance indicators are presented to different classes of users interacting with said management system*  
(See the rejection of the immediately preceding limitation above from the referenced limitation of claim 14).

Both Young and Sanders describe and/or disclose systems and/or methods that facilitate the management and control of large-scale enterprises including manufacturing systems. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Young and Bruce by adding the object oriented approach of Sanders to the methods of Young because it enables and facilitates the development, modification and application of enterprise monitoring.

3. Claims 5, 6, 12, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young/Sanders as applied to claims 1, 7 and 14 above, and further in view of Anderson (US 20020091944 A1).

**Claims 5 and 12:**

Although claims 5 and 12 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Young, as shown, describes and/or discloses the limitations of claim 1 as shown above. Young further describes and/or discloses the following limitations.

- *the classes of users include managers, engineers, and operators* (Young, in at least [0031] states: “This service uses Key Performance Indicator (“KPI”) applications [ ] to allow high-level users to visualize and implement high-level policy directed toward monitoring their specific interests and needs.” (emphasis added) where ‘high-level users’ corresponds to *managers* and *engineers*. Young does not specifically describe and/or disclose that *the classes of users include ... operators*, but Anderson, as shown, does. Anderson, in at least [0004] states: “This situation has led to a realization that software is needed to assist these operators in monitoring and maintaining their enterprises.” (emphasis added).

Young, Sanders and Anderson all teach systems and methods for enterprise management. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Young/Sanders with that of Anderson because using an object-oriented paradigm for modeling elements of an enterprise or corporate structure for

use by different levels of users provides all the advantages of object oriented design to the realm of enterprise modeling, managing and monitoring.

**Claims 6, 13 and 17:**

Although claims 6 and 13 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Young/Sanders, as shown, describe and/or disclose the limitations of claim 1 as shown above. Young further describes and/or discloses the following limitations.

- *one class of users is provided financial and manufacturing key performance indicators, wherein a second class of users is provided analysis capabilities, and a third class of users is provided key performance indicators for a supervised area and scheduling information* (Young, in at least [0014] states: “Workflow manager 110 may be employed to provide a number of business solutions related to, for example, supply chain management, manufacturing optimization ...” (emphasis added) where ‘to provide’ and ‘manufacturing optimization’ corresponds to *provid[ing] ...manufacturing ...performance indicators*, since optimization, *ipso facto* requires some performance metric. Young, in at least [0003] further states: “[N]one of the prior art business management applications provide automated in-depth analysis of the integrated business data.” (emphasis added) where ‘provide automated’ corresponds to *provid[ing] analysis capabilities* of ‘business data’.)

Young/Sanders do not specifically describe and/or disclose the notion of providing performance metrics and scheduling information *per se*, but Anderson, as shown, does. Anderson, in at least [0004] states: “This situation has led to a realization that software is needed to assist these operators in monitoring and maintaining their enterprises.” (emphasis added) and further, in [0005], “Other functions are sometimes performed by enterprise management software, including scanning networks for compatible devices and agents, job scheduling, backups, and system performance analysis and prediction.” (emphasis added) where ‘software’ ‘assists’ ‘operators’ and corresponds to a *third class of users* and ‘performed by ...’ corresponds to *provid[ing]* and ‘job scheduling’ and ‘performance analysis’ corresponds to *performance indicators and scheduling information*.

Young, Sanders and Anderson all teach systems and methods for enterprise management. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Young/Sanders with that of Anderson because using an object-oriented paradigm for providing certain types of information relevant to the management of an enterprise or corporate structure and for use by different classes of users provides all the advantages of object oriented design to the realm of enterprise modeling, managing and monitoring.



4. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young/Sanders as applied to claims 1 and 7 above, and further in view of Cheng (US 6067548 A).

**Claims 4 and 8:**

Although claims 4 and 8 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Young/Sanders, as shown, describe and/or disclose the limitations of claims 1 and 7 as shown above. Young/Sanders do not describe and/or disclose the following limitations, but Cheng, as shown, does.

- *objects modeling respective components of a first part of said corporate structure are reusable to model components of a second part of said corporate structure* (Cheng, in at least [0017] states: “The utility also includes means for mapping the member objects to the objects within the enterprise [...]” (emphasis added) where the ‘mapping...’ corresponds to an object model of an ‘enterprise entity’ (see also Cheng claim 21). Also, in at least [0039], Cheng refers to model reuse: “With this design, attribute definitions can be reused in different organizations.”) Furthermore, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the computer modeling arts that one of the most advantageous aspects of object modeling is that objects can be reused in other applications or contexts saving a great deal of time and expense by enabling code reuse.

Art Unit: 3624

- Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Young/Sanders with that of Cheng because using an object-oriented paradigm for modeling elements of an enterprise or corporate structure provides all the advantages of object oriented design to the realm of enterprise modeling, managing and monitoring.

### **Conclusion**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Mark A. Fleischer** whose telephone number is **571.270.3925**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Bradley Bayat** whose telephone number is **571.272.6704** may be contacted.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window:**

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Mark A. Fleischer  
/Mark A Fleischer/  
Examiner, Art Unit 3624    24 November 2008

/Bradley B Bayat/  
Supervisory Patent Examiner, Art Unit 3624